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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 vs. )

11 KENNETH JOHN FREEMAN, )

12 Defendant. )

08-CR-06087-LRS

Motion to File United States'  
Sentencing Memorandum and  
Motion for Upward Departure  
or Variance Under Seal

13 Plaintiff, United States of America, by and through James A. McDevitt,  
14 United States Attorney for the Eastern District of Washington, and Stephanie J.  
15 Lister, Assistant United States Attorney for the Eastern District of Washington,  
16 moves the court for an order to file the United States' Sentencing Memorandum  
17 and Motion for Upward Departure or Variance under seal in order to protect the  
18 privacy of the victim and the victim's family.

19 DATED March 18, 2009.

20 James A. McDevitt  
21 United States Attorney

22 s/Stephanie J. Lister

23 Stephanie J. Lister  
24 Assistant United States Attorney  
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1 I hereby certify that on March 18, 2009, I electronically filed the foregoing  
2 with the Clerk of the Court using the CM/ECF System which will send  
3 notification of such filing to the following, and/or I hereby certify that I have  
4 mailed by United States Postal Service the document to the following non-  
5 CM/ECF participant(s):

6  
7 Carl J. Oreskovich  
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12 Stephanie J. Lister  
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